

0846-05442 PCT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF : # 14/Election

Jean-Baptiste ALBERTINI, et al : GROUP: 2832

SERIAL NO: 09/508,692 : EXAMINER: DONOVAN, L.

CPA FILED: July 25, 2001 :

FOR: METHOD FOR INCREASING :
THE OPERATING OF A
MAGNETIC CIRCUIT AND
CORRESPONDING MAGNETIC
CIRCUIT

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RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Restriction Requirement dated September 10, 2001, Applicants provisionally elect with traverse Group I, Claims 20-29, directed to a magnetic circuit. Applicants make this election based on the understanding that Applicants are not prejudiced against filing one or more divisional applications that cover the non-elected claims.

Applicants traverse the outstanding Restriction Requirement as the outstanding Restriction Requirement has not established that an undue burden would be required if the Restriction Requirement was not issued and if all the claims were examined together. More particularly, MPEP §803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

In the present application no undue burden has been established if each of the claims were examined together. In contrast, the present restriction requirement subjects the Applicants

to the added financial burden of prosecuting Claims 20-29 and Claims 30-37 in separate proceedings.

Accordingly, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 20-37 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Re: U.S. Application
Serial No: 09/508,692
CPA Filed: July 25, 2001
Group: 2832
Inventor: DONOVAN, L.
For: METHOD FOR INCREASING THE
OPERATING OF A MAGNETIC CIRCUIT AND
CORRESPONDING MAGNETIC CIRCUIT

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SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$--0-- is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate copy of this sheet is attached.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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